

REMARKS

Claims 1-15 and 18-20 remain pending in this application. Claim 16 was canceled earlier and claim 17 was cancelled by the foregoing amendment.

Applicant notes at the outset that the “adapted to” language has been removed from the independent claim in light of the patent examiner’s comments in the latest official action.

Claims 1-6, 10-12, 14-16, and 18-20 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Vasilescu et al. (USP 7,168,923) in view of Abadia (US Pub. No. 2002/0158523). Claims 18 and 19 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Vasilescu and Abadia in view of Lopatinsky (USP 6,194,798). Claim 13 has been rejected as being unpatentable over Vasilescu and Abadia further in view of Gold (USP 4,588,911). Applicant respectfully traverses these rejections.

At the outset, it is noted that Abadia (US Pub. No. 2002/0157523) is commonly owned by the current applicant therefore Applicant questions the application of 35 U.S.C. 103(a) in light of 35 U.S.C. 103(e) based on commonly owned references. It appears that since Abadia ‘523 is commonly owned, it may not be available as prior art under 35 U.S.C. 103.

Vasilescu discloses an alternator fan “adapted to be coupled in rotation to the alternator rotor.” (See abstract and column 1, lines 42-43 of Vasilescu) Column 4, lines 14-17 elaborate that “a front fan 19 and a rear fan 20 ... are fixed in rotation on the front faces of the front pole wheel 8a and the rear pole wheel 8b respectively.” Vasilescu teaches welding for fixing the

rotational movements of the fan and rotor to one another. (See column 6, lines 38-47; column 7, lines 44-45)

Yamada discloses a fan designed for changing blowing direction, together with a fan motor which will allow a change of direction of rotation of the vane wheel. (Column 2, lines 8-11 and claim 1, column 8, lines 24-25 of Yamada) To achieve this object, Yamada uses attractive and repulsive forces between a plurality of permanent magnets 4a-4d fastened to the circumferential rim of its vane wheel and a magnetic body 6 mounted in a recess of an outer main body 11. (Column 3, line 57 to column 4, line 11. The magnetic body 6 is movable in the recess between angular positions P_1 and P_2 . The direction of rotation of the vane wheel is changed by switching the position of the magnetic body between the relatively advanced angular position (P_1) and relative retarded angular position (P_2). (Column 2, lines 36-40)

The Examiner opines that a person of ordinary skill in the art at the time the invention was made would have found it obvious to "modify the device of Vasilescu et al to have the rotor positioning devices as taught by Abadia '523." (See final Office Action, page 3). Applicant respectfully disagrees.

Vasilescu teaches, similarly to the present specification, welding or otherwise uniting its fan to a rotor in such a manner that the rotor and fan rotate in unison with one another. The power or motorized force for rotating the fan is derived from the rotor in Vasilescu. Vasilescu neither supplies a separate fan motor for driving the fan nor contemplates independently rotating the fan relative to the rotor. Nowhere does Vasilescu or the art of record suggest or provide any concrete reason for severing the fastened (e.g., welded) connection and dependent relationship between the fan and rotor so as to allow rotation of the fan independently of the rotor. In fact,

according to Vasilescu it was the state of the art to weld or fasten fans to rotors. (Column 1, lines 18-21 of Vasilescu)

Applicant respectfully submits that Abadia discloses a completely different fan cooling system than Vasilescu. Whereas Vasilescu welds its fan to a vehicular alternator rotor so that the alternator rotor drives the fan in unison with the rotor without change of direction of rotation, Abadia discloses a system in which the insert does not comprise a portion of the blade.

In an effort to facilitate prosecution and allowance of this application, applicant has amended the independent claims to clear recite that the insert is formed on the rotor (removing the "adapted to" language) and to recite that the insert is separate and apart from the blades. These amendment are believed to clearly distinguish this invention from the prior art.

Lopatinsky has been cited for its disclosure of magnet materials combined with plastic. Gold has been cited for its disclosure of powder pot for connecting wires to a rotor. Applicant respectfully submits that neither Lopatinsky nor Gold overcome the above-discussed failings of the art to teach or reasonably suggest the combination of Vasilescu and Yamada.

For these reasons, Applicant respectfully submits that a person having ordinary skill in the art at the time the invention was made would not have found it obvious to attempt to meld the distinct cooling systems of Vasilescu and Abadia with one another, and, therefore, the rejection of claims 1-15 and 18-20 is misplaced.

In view of the foregoing amendment and remarks, it is respectfully submitted that the claims define the invention over the prior art of record and are in condition for allowance, and notice to that effect is earnestly solicited. Should the Examiner believe further discussion

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regarding the above claim language would expedite prosecution they are invited to contact the undersigned at the number listed below.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Matthew Stavish", written over a horizontal line.

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